

## **Board Administration and Regulatory Coordination Unit**

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### **Division 3. Air Resources Board**

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### **Chapter 1. Air Resources Board**

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### **Subchapter 8.5 Consumer Products**

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### **Article 5. Hairspray Credit Program**

#### **§ 94574. Federal Enforceability.**

For purposes of federal enforceability of this article, the United States Environmental Protection Agency (U.S. EPA) is not subject to approval determinations made by the Executive Officer under this article. Within 180 days of a request from a responsible party who has received approval of an application to use HERCs, a HERC use approval meeting the requirements of the Clean Air Act shall be submitted by the Executive Officer to the U.S. EPA for inclusion in the applicable implementation plan approved or promulgated by the U.S. EPA pursuant to section 110 of the Clean Air Act, 42 U.S.C., section 7410. Prior to submitting a HERC use approval as a revision to the applicable implementation plan, the Executive Officer shall hold a public hearing on the revision. Notice of the time and place of the hearing shall be sent to the applicant by certified mail not less than 30 days prior to the hearing. Notice of the hearing shall also be submitted for publication in the California Regulatory Notice Register and sent to the U.S. EPA, every person who requests such notice, and any person or group of persons whom the Executive Officer believes may be interested in the application. Within 30 days of the hearing, the Executive Officer shall notify the applicant of the decision in writing. The decision may approve, disapprove, or modify a HERC use approval previously granted pursuant to section 94568.

NOTE: Authority cited: Sections 39600, 39601 and 41712, Health and Safety Code. Reference: Sections 39002, 39600, 40000 and 41712, Health and Safety Code.

#### **REFERENCE**